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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No.4782 of 2006

PETITIONER	:	D.K. Das, aged about 41 years, Dinabandhu Das, By Occupation TGT Maths, Kendriya Vidyalaya NTPC, R/o NTPC, Jamnipali Tahsil Katghora, Distt. Korba (C.G.)
	Vs.	
RESPONDENTS	1.	Smt. Dharitri Das aged about 37 years, W/o Shri D.K. Das, By Occupation TGT Bio, Kendriya Vidyalaya NTPC, R/o C/o Shri B.K. Mishra, MIG 1/57, Sardar Patel Nagar, Jamnipali NTPC, Tahsil Katghora, Distt. Korba

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Present : Shri Parag Kotecha, learned counsel for the petitioner.

ORAL ORDER

(Passed on 4th September, 2006)

On an application filed by the respondent-wife under Section 24 of the Hindu Marriage Act ,1955 (for short 'the Act') in a proceeding initiated under Section 9 of the Act, the learned Family Judge by the impugned order awarded Rs.2000/- towards litigation expenses and monthly maintenance at the rate of Rs.1000/-. Feeling aggrieved by the above order, the petitioner-husband has preferred this writ petition under Article 227 of the Constitution of India.

(2) Having heard learned counsel for the petitioner and perused the reasons assigned by the learned Family Judge to award token compensation to the wife, I am of the considered opinion that this is not a fit case where this Court should step-in under Article 226/227 of the Constitution of India and exercise the discretion in favour of the husband. Marriage between the parties is not denied. If that is so, token

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compensation awarded by the learned Family Judge need not be interfered with. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

Brajesh